

March 19, 2017

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Town of Sunset Beach

Town Council, Mayor, Town Attorney, Town Manager

We, residents of Medcalf Drive SW, hereby request a hearing to discuss getting Medcalf Drive SW accepted by the Town of Sunset Beach as a Public Street, to be maintained and repaired by the general fund of the Town of Sunset Beach.

History: The Annexation Report, prepared in January 2005, was followed by an election that put Ron Klein in as Mayor. Mayor Klein personally told me Medcalf would be "maintained in the same condition it was in at the time of annexation." Yearly, I have been before Council in open forum to plead for this promise to be fulfilled. To date, I have been met with two versions as to why that promise goes unfulfilled. First, the roadway does not meet NC DOT standards. Supposedly this is a Town Ordinance that Mayor Klein did not know. If this was an oversight I forgave Mayor Klein for not knowing when he made the promise. This town ordinance needs to be changed because it burdens the residents unfairly and unjustly. It is an after-the-fact reality that the Roadway cannot be brought up to DOT standards economically, logistically or in any other way known by our engineering community. This Ordinance/Policy (98.18(B) in and of itself is not legal per the North Carolina State Statutes (160A-58.10). State Statutes take precedents over Town Ordinances that conflict. Secondly, the current Town's Attorney has raised only the issue of getting the roadway dedicated to the Town as a "public" roadway. I have now been informed that the survey performed by the Town for the Annexation does not meet the needs of the Town and a new survey of the Road rights-of-way must be purchased and paid for by the residents of Medcalf and/or the Sunset Lakes POA. Costs may again exceed the rewards. This request for a meeting with the Town Councilmen and Councilwomen will help to evaluate this issue.

In addition to unfair distribution of local tax money, the Town refuses to apply and procure Powell Bill Funds for repair and maintenance of these roads and streets. Powell Bill Funds are available to the Town and the Town refuses to get the money for our Streets. Yes, Streets. There are 22 streets or roads that are being treated as private by the Town, as far as maintenance but considered as part of the Town where taxes are concerned. There over 360 owners that represent over \$61,000,000 of real estate assessed @ \$0.15 per \$100 of value. That is over \$91,000 of taxes paid to the Town. Per the Annexation report dated January 28, 2005, the Town estimated it would incur expenses of only \$635 to control mosquitos for the \$91,000. These 360 owners file and pay Federal Income Taxes and are entitled to know about the Powel Bill Funds that Sunset Beach refuses to get for the maintenance and repair of their roads. Sunset Beach received over \$143,000 from the Powell Bill Funds in 2015. Through October, 2016 over \$72,000 has been paid to Sunset Beach for road maintenance and repair. Why are the property owners and residents with properties along these 22 streets and roads not getting these same services? It appears there is no quid pro quo?

As you can see these issues need to be discussed. A satisfactorily worked out solution would silence de-annexation petitions being sent to Bill Rabon. Residents on Medcalf and the 21 other roadways deserve a satisfactory solution.

Thank you in advance for your reply and a prompt scheduling of this meeting.



Duane Lewis, resident Sunset Beach, (copies to Sunset Lakes HOA, Bill Rabon, Frank Iler)

The following group of individuals residing on Medcalf Dr. SW wish to attend:

Denise and Lenny Lewandoski 554, Mark Katuscak 564, Douglas Blythe 536, Mildred Harris 576, Pam Postich 514, Geraldine Branham 516, Jackie Lewis 522, Tom Baston 510.